

**REMARKS****I. Rejections Under 35 U.S.C. § 112, ¶ 2**

The Examiner rejected claims 7-10 and 16 under 35 U.S.C. § 112, ¶ 2, as being indefinite. Claims 7 and 16 have been amended to recite "and" instead of "and/or." Withdrawal of the 35 U.S.C. § 112, ¶ 2 rejection is requested.

**II. 35 U.S.C. § 103(a) Rejections**

Independent claims 7, 11 and 16 stand rejected under 35 U.S.C. § 103(a). In particular, independent claims 7 and 16 were rejected over U.S. Pat. No. 6,643,528, issued to Shim et al. ("Shim"), in view of U.S. Pat. Pub. No. 2002/0197995, issued to Starkovich et al. ("Starkovich") and further in view of U.S. Pat. No. 6,676,534, issued to Bach et al. ("Bach"), and independent claim 11 was rejected over Shim in view of U.S. Pat. No. 5,542,105, issued to Finch et al. ("Finch") and further in view of U.S. Pat. No. 6,018,671, issued to Breamer ("Breamer").

**A. Claims 7-10 and 16**

The Applicant respectfully traverses the rejections of claims 7-10 and 16 on the grounds that Shim, Starkovich and Bach, when combined, do not teach the claimed "delaying notification of the received data message until the dual-mode mobile communication device is able to decrypt and decompress the data message, and once the data message has been decrypted and decompressed, then notifying a user of the received data message."

First, Starkovich only teaches delaying encryption and compression of a message to be sent. The claimed methods are directed to received data messages. Starkovich is not cited for teaching conditional decryption and decompression as claimed in claims 7 and 16. Additionally,

the Examiner did not show how Starkovich or the remaining art could be modified to teach this missing element, nor did he provide any rationale or motivation to support such modification. Accordingly, for this reason alone, the Applicant respectfully submits that the obviousness rejection fails to show all the claimed elements of either claims 7 or 16, and therefore respectfully requests that the rejection of claims 7-10 and 16 be withdrawn.

Second, Starkovich only teaches delaying encryption and compression of a message to be sent until the portable unit is connected to a stable power supply. The claimed methods are directed to delaying notification of the received data message until the mobile device has decrypted and decompressed the received data message. Thus, even if Starkovich may be properly combined with Shim and Bach, the combination of these references does not teach (1) delaying notification of the received data message until the dual-mode mobile communication device is able to decrypt and decompress the data message; and (2) once the data message has been decrypted and decompressed, then notifying a user of the received data message. The Examiner did not show how Starkovich or the remaining art could be modified to teach this additional missing element, nor did he provide any rationale or motivation to support such modification. Accordingly, for this additional reason alone, the Applicant respectfully submits that the obviousness rejection fails to show all the claimed elements of either claims 7 or 16, and therefore respectfully requests that the rejection of claims 7-10 and 16 be withdrawn.

#### B. Claims 11-15

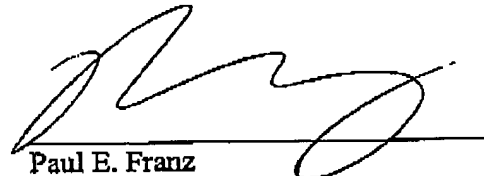
The determining step of claim 11 has been amended to include the element "upon removal of the mobile communication device from the holster." Thus, claim 11 is now directed to a method that determines whether the mobile communication device is configured to

automatically answer voice calls upon removal of the mobile communication device from the holster. The combination of Shim, Finch, Breamer, either alone or in combination with Bach, does not teach this limitation as amended by the additional element.

### III. Conclusion

The Applicant respectfully requests the withdrawal of the rejections in light of the aforementioned arguments. It is believed that the application, as now presented, is in condition for allowance and that a Notice of Allowability be issued in due course.

Respectfully submitted,  
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